

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

|   |   |                            |
|---|---|----------------------------|
| Leo McClam,                               | ) |                            |
|   | ) |                            |
| Plaintiff,                                | ) |                            |
|   | ) |                            |
| vs.                                       | ) | Case No. 1:15-cv-01276-TLW |
|   | ) |                            |
| Brandon Martain; Sam Fraire, Nurse;       | ) |                            |
| Officer NFN Oakman; Captain NFN Foster;   | ) |                            |
| Dr. NFN Cross; Judy Dupree; Ms.           | ) |                            |
| Malkeaklka NLN; Ms. Fredrick P., Nurse;   | ) |                            |
| Ms. Kia Wilson; Bridget L. Taylor, CNA;   | ) |                            |
| Doris Gigger, CNA; Carl James, CNA;       | ) |                            |
| Ms. NFN Porter, Doctor, each defendant    | ) |                            |
| sued in their own personal and individual | ) |                            |
| capacities,                               | ) |                            |
|   | ) |                            |
| Defendants.                               | ) |                            |
| _____                                     | ) |                            |

**ORDER**

Plaintiff Leo McClam, proceeding pro se and in forma pauperis, brought this action pursuant to 42 U.S.C. § 1983 alleging a violation of his constitutional rights. (Doc. #1). On April 13, 2015, Plaintiff filed a motion to consolidate this case with two of his other pending cases. (Doc. #7). This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Shiva V. Hodges, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(e), (D.S.C.). In the Report, the Magistrate Judge recommends that this Court dismiss the case without prejudice and without issuance and service of process. (Doc. #9). Objections to the Report were due by May 4, 2015. Plaintiff failed to file objections, and this matter is now ripe for disposition.

The Court is charged with conducting a de novo review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part,

the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. See Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

The Court has carefully reviewed the Report in accordance with this standard, and it concludes that the Magistrate Judge accurately summarizes the case and the applicable law. It is therefore **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #9). For the reasons articulated by the Magistrate Judge, this case is **DISMISSED** without prejudice and without issuance and service of process. Plaintiff's motion to consolidate this case is therefore deemed **MOOT**. (Doc. #7).

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
Terry L. Wooten  
Chief United States District Judge

May 5, 2015  
Columbia, South Carolina